

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

SUSAN PHAN (CABN 241637)
Special Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Facsimile: (415) 436-7234
E-Mail: Susan.Phan@usdoj.gov

Attorneys for the Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JUAN HERNANDEZ IBARRA,)
)
Defendant.)
)
)

No. CR 11-0467 EMC

**STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME UNDER 18
U.S.C. § 3161**

The defendant appeared before this Court on October 26, 2011. The parties requested that this matter be continued to November 30, 2011. The defendant needs time to review the additional discovery that was provided by the Government. There were no objections. The parties have agreed to exclude the period of time between October 26, 2011 to November 30, 2011 from any time limits applicable under 18 U.S.C. § 3161. Defense counsel represented that granting the exclusion would allow the reasonable time necessary for effective preparation and continuity of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that good cause exists, and that the ends of justice served by granting such an exclusion of time outweigh the best

1 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). At the
2 hearing, the Court made findings consistent with this agreement.

3 SO STIPULATED:

4
5 MELINDA HAAG
United States Attorney

6
7 DATED: November 8, 2011

8 /s/

SUSAN PHAN
Special Assistant U.S. Attorney

9
10 DATED: November 8, 2011

11 /s/

STEVEN KALAR
Attorney for JUAN HERNANDEZ-IBARRA

1 [PROPOSED] ORDER

2 For the reasons stated above at the October 26, 2011 status conference, the Court finds
3 that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from
4 October 26, 2011 to November 30, 2011 is warranted and that good cause exists, and the ends of
5 justice served by the continuance outweigh the best interests of the public and the defendant in a
6 speedy trial. 18 U.S.C. §3161(h)(7)(A).

7
8 IT IS SO ORDERED.

9
10 DATED: 11/9/11 _____

